

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KRISTINA MIKHAYLOVA,

Plaintiff,

-against-

BLOOMINGDALE'S, INC., BLOOMINGDALE'S,  
INC. d/b/a BLOOMINGDALE'S AND FORTY  
CARROTS, BLOOMINGDALE'S, LLC,  
BLOOMINGDALE'S, LLC d/b/a  
BLOOMINGDALE'S NEW YORK, MACY'S,  
INC., MACY'S, INC. d/b/a MACY'S OF NEW  
YORK, UNITED STOREWORKERS RETAIL,  
WHOLESALE AND DEPARTMENT STORE  
UNION AFL-CIO LOCAL 3 a/k/a LOCAL 3  
UNITED STOREWORKERS RWDSU/UFCW,  
DENNIS DIAZ, individually, CHRISTOPHER  
CASTELLANI, individually, RICHARD LAW,  
individually, and BOBBY BOOKER, individually,

Defendants.

Civil Action No. 1:19-cv-08927-GDB

**NOTICE OF PLAINTIFF'S**  
**MOTION TO ALTER OR AMEND**  
**JUDGMENT**

Please take notice that upon the annexed affirmation of Melissa Mendoza, Esq. and accompanying Memorandum of Law, a motion will be made as follows:

PLACE OF MOTION:

U.S. District Court  
Southern District of New York, before Hon.  
George B. Daniels  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

OBJECT OF MOTION:

An Order granting motion to alter or amend the Court's Judgment of November 13, 2023, to dismiss Plaintiff's pregnancy, sex/gender, and disability discrimination, retaliation,

failure to accommodate claims under the New York State Human Rights Law, N.Y. Exec. Law 278 (NYSHRL) and the New York City Administrative Code 8-107 (“NYCHRL”) without prejudice, together with such other and further relief the Court deems just and proper.

Dated: December 11, 2023  
New York, New York

DEREK SMITH LAW GROUP, PLLC  
*Attorneys for Plaintiff*

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